PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WH 12 202.1WO	FOR FURTHER AC	TION	See Form PCT/IPEA/416		
International application No. PCT/CA2004/001989	International filing dat 19 November 2004	te (day/month/year) (19-11-2004)	Priority date (day/month/year) 21 November 2003 (21-11-2003)		
International Patent Classification (IPC) or national classification and IPC IPC: F01C 1/344 (2006.01), F02B 53/02 (2006.01)					
Applicant AROV, ANATOLY					
This report is the international prelimi under Article 35 and transmitted to the	nary examination report	, established by this Internation	ational Preliminary Examining Authority		
2. This REPORT consists of a total of		ing this cover sheet.			
3. This report is also accompanied by AN					
a. [X] (sent to the applicant and		ureau) a total of 3	sheets, as follows:		
		· ·			
[X] sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).					
[] sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. 1 and the Supplemental Box.					
b. [] (sent to the International	l <i>Bureau onl</i> v) a total of	(indicate type and number	of electronic carrier(s))		
	, containing a	sequence listing and/or tab	oles related thereto, in electronic		
form only, as indicated in Instructions).	n the Supplemental Box	Relating to Sequence List	ing (see Section 802 of the Administrative		
4. This report contains indications relating	ng to the following item	s:			
[X]Box No. I Basis of the rep		,			
[]Box No. II Priority					
[]Box No. III Non-establishm	ent of opinion with rega	ard to novelty, inventive ste	ep and industrial applicability		
[]Box No. IV Lack of unity of					
[X]Box No. V Reasoned stater	nent under Article 35(2)	with regard to novelty, in	ventive step or industrial applicability;		
citations and ex	planations supporting s	uch statement :			
[]Box No. VI Certain docume	ents cited				
[X] Box No. VII Certain defects in the international appli		ication ·			
[X] Box No. VIII Certain observations on the international application					
Date of submission of the demand 29 June 2005 (29-06-2005)		Date of completion of this report 16 March 2006 (16-03-2006)			
Name and mailing address of the IPEA/CA		Authorized officer			
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Facsimile No.: 001(819)953-2476		:	Pogo 1 of 6		

International application No. PCT/CA2004/001989

Box	No. I	Ba	sis of the r	eport				
1.	With	regar	d to the lan	guage, this report is b	pased on:			
	[X]	and the state of t						
	[] a translation of the international application into , which is the language of a							
	translation furnished for the purposes of:				•			
		[]		nal search (Rules 12.3)				
[] publication of the international application (Rule 12.4(a))								
		[]			nation (Rules 55.2(a) and/or 55.3(a))			
2.	With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report): [] the international application as originally filed/furnished							
	[X]		escription:					
			pages			as originally filed/furnished		
		[]	pages*		received by this Authority on			
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		[X]	pages*	20 to 22	received by this Authority on	29 June 2005 (29-06-2005)		
		[]	pages*		received by this Authority on			
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1		[X]	pages			as originally filed/furnished		
		[]	pages*		received by this Authority on			
			pages*		received by this Authority on	Sequence Listing		
	ιJ	a sec	quence listii	ng and/or any related t	table(s) - see Supplemental Box Relating to	noderno mond.		
3.	[]	[] The amendments have resulted in the cancellation of:						
		[]		iption, pages				
		[]	the claim	•				
		[]		ings, sheets/figs				
		l J	_	ence listing <i>(specify):</i>	e listing (specify):			
		ίJ	any table	e(s) related to sequence	, , , , , , , , , , , , , , , , , , ,			
4.	•	sinc [] [] [] []	e they have the descr the claim the drawi the seque any table	e been considered to go ription, pages as, Nos. rings, sheets/figs ence listing (specify): e(s) related to sequence		report and listed below had not been made, in the Supplemental Box (Rule 70.2(c)).		
*	If ite	em 4 aj	oplies, som	e or all of those sheets	s may be marked "superseded."			

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement						
Novelty (N)	Claims	1 to 9	YES			
	Claims	none :	NO			
Inventive step (IS)	Claims	1 to 9	YES			
	Claims	none	NO			
Industrial applicability (IA)	Claims	1 to 9	YES			
	Claims	none	NO			

2. Citations and explanations (Rule 70.7)

D1:

US 6,457,451 B1

(SAKITA)

01 October 2002

(01-10-2002)

Claims 1 to 9 are novel and do comply with Article 33(2) of the PCT. Document **D1** (US 6,457,451 B1) is considered to be the closest prior art and discloses a rotary piston engine comprising:

- · at least one toroidal cylinder disposed within a cylinder housing;
- at least two impellers with diagonally opposed, radial vanes rotatably mounted in the cylinder such that the vanes define four working chambers disposed between adjacent vanes;
- a common drive train consisting of intermeshing, non-circular gears configured to rotate the impellers such that the
 vanes of the respective impellers cooperate to form the four working chambers; and
- <u>stationary</u> valve means provided for selectively allowing the entry (inlet) or exit (exhaust) of a working medium through the engine; i.e. via passages provided in the cylinder housing.

However, as noted below, the subject matter of each of claims 1 to 9 differ from the prior art by claiming that 'the rotary valve element associated with each impeller <u>rotates with its respective impeller</u> thereby selectively opening and closing passages provided in the cylinder housing, with the passages connecting the working chambers to suitable intake and exhaust means, such that the working media is able to enter and exit the engine'. The present arrangement thus enables each rotary valve element to stay directly connected to the impeller such that the rotary valve element accelerates and decelerates in direct relation with the impeller thereby enabling the impeller vanes to be made smaller, as the vanes themselves are no longer directly responsible for the opening and closing of the input and exhaust ports of the engine.

Furthermore, claims 1 to 9 do possess an inventive step and, therefore, do comply with Article 33(3) of the PCT. The subject matter of each of the aforesaid claims is considered to involve an inventive step since the prior art does not fairly suggest the concept of providing a rotary engine in which 'each rotary valve element stays directly connected to the impeller such that the rotary valve element accelerates and decelerates in direct relation with its associated impeller'.

Finally, the subject matter of each of claims 1 to 9 is considered to be industrially applicable and thus complies with the requirements of Article 33(4) of the PCT.

International application No. PCT/CA2004/001989

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Claims

During the examination process, the Examiner noticed a number of clerical or grammatical errors that the applicant may choose to correct. As a courtesy, the following amendments are offered as a means for correcting the aforesaid errors:

- 1.1 Claim 2, lines 4 and 5 could be amended to read "...gear parameters are defined as <u>a</u> function of minimum vane opening...".
- 1.2 Claim 6, line 8 coould be amended to read "...being riven by a corresponding part of a gear train...".
- 1.3 Claim 6, lines 10 to 14 could be amended to read "...several toroidal cylinders being interconnected to form <u>a</u> common drive train; <u>wherein</u> said drive train <u>controls a</u> relative <u>position</u> of <u>each of</u> the impellers of those cylinders, thereby <u>determining</u> the relative position <u>of each</u> of said vanes...".
- 1.4 Claim 9, lines 2 to 5 could be amended to read "...rotates around <u>a</u> focal point and where gear parameters are defined as <u>a</u> function of minimum vane opening allowing a formulation of four chambers in each toroidal cylinder <u>to be</u> positioned planetary to an input / output shaft...".

Form PCT/IPEA/409 (Box No. VII) (April 2005)

International application No. PCT/CA2004/001989

Box No. VIII	Certain observations of	n the international	application
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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

- 1. Claim 1 does not meet the requirements of Article 6 PCT in that the matter for which protection is being sought is not clearly defined for the following reason:
- 1.1 In claim 1, the expression "cylinder housing" (claim 1, lines 7 and 8) lacks a proper antecedent basis.
- 1.2 In claim 6, the expression "combustion unit" (claim 6, lines 7 and 8) lacks a proper antecedent basis.
- 1.3 In claim 6, the expression "relative position" (claim 6, line 12) lacks a proper antecedent basis (also identified in section 1.3 of Box No. VII).

THE EMBODIMENTS OF THE INVENTION IN WHICH AN EXCLUSIVE PROPERTY OR PRIVILEGE IS CLAIMED ARE DEFINED AS FOLLOWS:

- 1. An engine or pump comprising at least one toroidal cylinder, two impellers with radial vanes rotatably mounted in said cylinder with said impellers cooperating with said cylinder to define working chambers between adjacent vanes, each impeller including to one side thereof at least one rotary valve element which rotates with the impeller and selectively opens and closes passages in said cylinder housing to said working chambers for inletting and exhausting a working media; said rotary valve elements cooperating with said housing such that the position of said valve element defines media flow through said engine or pump.
- 2. An engine or pump as claimed in claim 1 including a drive train having at least two elliptical gears controlling said impellers and wherein each elliptical gear rotates around a focal point and where gear parameters are defined as function of minimum vane opening allowing formation of four chambers in each toroidal cylinder.
- 3. An engine or pump as claimed in claim 1 and 2 wherein each impeller has two diagonally opposed radial vanes which rotate within a toroidal cylinder of said housing with said four working chambers being defined between said vanes.
- 4. An engine or pump as claimed in claim 1 to 3 wherein each valve element includes two outwardly extending nodes that cooperate with a valve portion of said housing, said nodes closing ports in said housing to said working chambers as a function of the angular position of said valve elements.

- 5. An engine or pump as claimed in claim 1 to 3 wherein each valve element has a series of arcuate passages which connect said working chambers with ports in said housing to selectively open and close ports in said housing to said working chambers, each arcuate media passage including a port adjacent a vane of said engine or pump.
- 6. An engine or pump assembly comprising at least two toroidal cylinders interconnected by a commmon drive train; each toroidal cylinder having a pair of rotating impellers; each impeller having two diagonally opposed vanes cooperating with vanes of the other impeller to define four working chambers which change in volume as the vanes rotate in said toroidal cylinder; said impellers of each combustion unit being driven by a corresponding part of gear train for controlling the vane movement as a function of the position in said toroidal cylinder with said gear trains of several toroidal cylinders being interconnected to form common drive train; said drive train controlling the relative position of the impellers of those cylinders and thereby determine the relative position of said vanes and wherein said units cooperate by being out of phase with each other in a manner to reduce output variation by complementing each other.
- 7. An engine as claimed in claim 6 using one toroidal cylinder as a compressor unit driven by said common drive train and providing compressed media to said working chambers of other toroidal cylinders used as combustion units.
- 8. An engine or pump assembly as claimed in claim 6 wherein said drive train includes at least 6 elliptical gears synchronizing vane positions in two toroidal cylinders, said at least 6 elliptical gears including 3 gears in mesh for one pair of vanes of one unit and one pair of vanes of the other unit, and a further 3 gears in mesh

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for a second pair of vanes in the one unit and a second pair of vanes of the other unit.

9. An engine or pump as claimed in claim 8 wherein each elliptical gear rotates around focal point and where gear parameters are defined as function of minimum vane opening allowing a formulation of four chambers in each toroidal cylinder positioned planetary to input/output shaft of said drive train.